

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
AUGUST 31, 1962

A special meeting of the City Council of the City of Lodi was held beginning at 10:00 a.m. on Friday, August 31, 1962, in accordance with Section 54956 of the Government Code, having been called by Mayor Katzakian by the sending of written notices stating the time and purpose of said meeting to all members of the City Council, the "Lodi News-Sentinel" and the "Stockton Record", receipt of said notices being at least 24 hours before the time set for the meeting. Councilmen Brown, Culbertson, Dow, Ullmann and Katzakian (Mayor) present. None absent.

Also present: City Manager Graves (arrived at 10:10 a.m.), Administrative Assistant Carlton and City Attorney Mullen.

SITE FOR
WELL NO. 12

The purpose of the meeting was to consider the offer of a site for Well No. 12 by Mr. Edward Barbera. The site is approximately 200 feet south of Cherokee Lane and would be on the west side of the future west line of the Barbera property in the event that West Lane is widened to 110 feet, placing the site within the West Lane right of way. A letter from Jones, Lane and Weaver, Mr. Barbera's attorneys, dated August 29, 1962, outlining the following conditions for acceptance of the deed from Mr. Barbera was read:

- (1) Installation of the pump is to be entirely underground except for the electric power panel and one utility pole.
- (2) The power panel and utility pole will be installed in the extreme northeast corner of the well site.
- (3) The City will relocate the power panel and utility pole at its own expense in the event they become an obstruction to the ingress or egress of the property in future development.
- (4) The City will at its own expense raise or lower the proposed manholes at the well site in such manner as may be required to meet final grade when the West Lane right of way improvements are installed.
- (5) The City will reimburse Mr. Barbera to the extent of \$1,000.

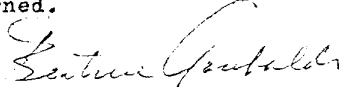
The letter also contained certain matters relative to future development of the Barbera property, but it was felt that consideration of these matters had no bearing on the well site acquisition.

A reversionary clause on the deed was read requiring that in the event the well was not established on the site within one year or if the well is later abandoned, the property shall revert to the grantors or their successors. Superintendent of Utilities McLane said there would be no problem with the first four conditions. Mayor Katzakian stated that because of the reversionary clause and because of the request for \$1,000, he felt action on these two features was a matter of policy to be decided by the Council. (City Manager Graves arrived)

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Councilman Dow said he did not consider the reversionary right in the present instance as being too serious. City Manager Graves stated that in the past the City had problems with this type of deed so had established a policy of accepting only deeds which were free of such conditions. City Attorney Mullen stated that in this instance the parcel would have no value to the City other than as a well site, and he felt that the reversionary clause on the deed was all right. Councilman Brown pointed out that if the City accepted the conditions in the letter, it would be paying \$1,000 for the land. City Attorney Mullen said that on the basis of the letter, payment of \$1,000 was one of the considerations for execution of the deed. Councilman Brown moved that the conditions in the said letter for delivery of a deed from Mr. Barbera for a well site be accepted and the City pay \$1,000 to cover the demand for the deed. The motion was seconded by Councilman Dow and carried by unanimous vote.

The meeting then adjourned.


ATTEST: BEATRICE GARIBALDI
City Clerk